

CHAPTER V

Agrarian conditions in the Byzantine Empire in the Middle Ages

I. *East and West in the Roman Empire*

THE eastern half of the Roman Empire was economically stronger and more thickly populated than the western half, and it survived the crisis in which the latter perished, though only after the most exhausting and difficult external and internal struggles. For even the sounder eastern half of the Roman polity had the same troubles as the western half, and in spite of all their differences the political, as well as the economic, and particularly the agrarian, conditions were in many ways similar. The decline in the population did not make itself felt so severely in the East as in the West, while in the former with its overabundance of cities the growth of *latifundia* was accomplished more slowly. But here, too, for centuries development was affected by the marked shortage of labour and by the increase in private estates. And here, also, there were the same results—the widespread absorption of the state lands and of the small landowner, and the binding of the peasant to the soil. This process was vigorously opposed by the more highly centralized government of the East, but such opposition was limited by the financial needs of the state; and to the very end it remained unsuccessful.

These financial needs of the state were at all times responsible for the moulding of agrarian conditions in Byzantium. The taxation of Diocletian had imposed the hereditary ground tax on the peasant, and the so-called *capitatio-iugatio* which he created continued throughout the early Byzantine period, linking together the head and ground taxes. Regarded from different points of view *caput* and *iugum* denote the same taxable value: the *iugum* is the piece of land that can feed a *caput*, and the *caput* stands for the human labour expended on a *iugum*. And so the *capitatio*, just like the *iugatio*, is related to the actual soil, and a *caput* cannot represent either townsfolk or the landless. In the same way, a *iugum*, in order to be taxable, must have its corresponding *caput*. The efforts of the government were therefore of necessity directed towards keeping a balance between *iuga* and *capita*, by finding a *caput* for every available *iugum*. Owing to the scarcity of labour this was no light task, and it was for this reason that the exchequer made every effort to bind the *caput* when it was found to the corresponding

iugum. And so ever-increasing masses of the rural population were tied to the soil. This is a particular instance of the widespread compulsory fastening of the population to their occupation which scarcity of labour forced the later Roman Empire to pursue systematically. During the course of the fourth century the fettering of the *coloni*, even in the eyes of the law, appeared throughout the Empire; for financial considerations compelled the government increasingly to deprive the *coloni* everywhere of their freedom of movement.

Above all, the overburdening of the rural population with taxes hastened the *patrocinium* movement. In order to mitigate the pressing demands of the state the small landholder put himself under the protection (*patrocinium*) of a powerful lord, and in return placed himself and his land at the service of his patron. The Roman and Byzantine emperors vigorously opposed this development and fought it for many centuries, often with very severe measures. Yet it was the government itself, driven by financial and military needs, which had handed over the peasants to the landowners. To ensure the tax returns, it had entrusted the collection of taxes from the *coloni* to the landowners, and for the army's sake had made them responsible for recruiting the *coloni*. The dependence of the *coloni* was the inevitable result of the landowners' responsibility for their tax returns and their military service. The *coloni*, legally free, lost their freedom of movement and became the serfs of the large landowners (*glebae adscriptitii*, ἐναπόγραφοι).

Even in Egypt, relatively the most densely populated part of the Empire, both small freehold peasant property and the once enormous crown and state domains were systematically absorbed by large private landowners. The land of the imperial domain could not find the necessary labour, and the crown resorted more and more to compulsory leasing of its deserted estates. In Egypt the system of the so-called ἐπιβολή (*adiectio sterilium*) had been established from the earliest times. Under it the inferior state land was assigned compulsorily to private landowners (*proximi possessores*) to work, and they were forced to undertake the responsibility for the return of the tax levied upon the property allotted to them. From the close of the third century this system was employed throughout the Empire, and it was soon used, not only for state land, but also for deserted and dilapidated estates of private owners who were unable to answer for their taxes. But such a method could only succeed if those to whom the land was allotted had the necessary economic resources, and so this system, too, ended by contributing towards the increase of large estates. All along the line it was the large landowner who won, and who not only economically checkmated the crown but gradually monopolized important functions of the state.

The struggle against large landed property which the central authority had prosecuted with great vigour, even in Justinian's time, was unable to bring about any fundamental change in conditions. The predominating feature of rural economy in the early Byzantine period was the great private estate. Great landowners and their dependent *coloni* were the typical figures of the age.

II. *The free peasant village in the middle Byzantine period*

From the seventh century onwards the Empire entered upon a completely new phase of development. Economic and social, as well as political and cultural, conditions showed an entirely different aspect. The period of the later Roman Empire comes to a close, and the history of the medieval Byzantine Empire begins. The Byzantine polity which had survived the collapse of Justinian's work of restoration and the invasions, first of the Persians and then of the Arabs, underwent an internal regeneration. Byzantium had suffered greatly in territory; for Roman Mesopotamia, Syria, Palestine, and the granary of Egypt, were lost to the Arabs. But the very limitations imposed by the new frontiers gave the Byzantine Empire greater stability and internal unity; it had new and much firmer foundations on which to build. The system of government and the administrative divisions of the provinces, the financial arrangements and the organization of the army—all this was new. Socially the character of the Empire changed, and henceforth its economy stood upon a new basis.

It was the great Emperor Heraclius (610-41) who breathed fresh life into the ageing Roman Empire and restored it by his decisive reforms. His institution of themes not only created a new system of administration and a new military organization, but it turned the course of Byzantine agrarian development into fresh channels. Just as the binding of the peasant to the soil in the earlier period was due primarily to financial and military needs, so in the middle Byzantine period was his freedom of movement markedly encouraged by the new organization of the army and the alterations in the system of taxation. Heraclius's institution of themes introduced a strong military element into the imperial administration. The Empire was divided into large military districts—the themes—and each was placed under a governor (*strategus*) who controlled both the military and the civil government of his province. But most important of all were the military settlements within the newly created themes; the so-called 'military estates' (*στρατιωτικά κτήματα*) came into existence and were granted out in

return for military service. While the army of the early Byzantine period was largely composed of troops of foreign, and mostly Teutonic, origin, Byzantium now gradually recruited its soldiers from within the Empire. A peasant militia drew from its own soil both the means of livelihood and the resources for waging war.

This creation of military estates shows that it was in Asia Minor, then the backbone of the Empire, that enough unoccupied land was to be found. This is not surprising after the devastating invasions of the Persians and Arabs, which must have swept away so many large land-owners. Heraclius's successors continued his work, and in order to colonize the military holdings in Asia Minor they brought into the Empire many elements of foreign, and especially Slavonic, origin. For several centuries to come this institution of military estates by Heraclius and his successors was the very foundation of Byzantine military power. It was a system that afforded great relief to the budget and solved the terrible problem that had arisen after the great barbarian migrations, when the Empire found that the sources from which its army had formerly been recruited were no longer available. It had the further advantage of establishing an important body of free peasants in the Byzantine provinces; for, while the eldest son of a soldier (*stratiotes*) succeeded to his father's duty of military service, the rest of his offspring swelled the free peasant forces which could be occupied in the clearing of untilled ground. Thus a free peasantry developed side by side with the soldiers settled on the land, and, as the latter were the mainstay of the military, so the former, in their capacity of taxpayers, were the backbone of the economic and financial power of the Byzantine Empire. There was neither economic nor social difference between the tax-paying free peasants and the soldier peasants owing military service, who had moreover to pay certain taxes. Economically the military holdings were exactly like the peasant holdings, and socially the soldiers and the free peasants belonged to one and the same class. They were frequently placed in the same administrative and fiscal grouping and were treated by the imperial legislation as a single category.

Although Byzantium certainly had uncultivated land in the Middle Ages, it did not then suffer from so serious a scarcity of labour as it had in the earlier period. This indeed is largely due to the extent to which foreign elements had settled within the Empire and given it new vigour. It was moreover this fact which made possible a fundamental alteration in the system of taxation. In the place of the interdependence of the *capitatio* and the *iugatio* there was a separate levy of head and ground taxes, from the seventh century onwards. The head tax, which appeared in the form of a personal tax levied on the family (really a hearth tax: *καπνικόν*), fell on all taxpayers without exception. It was no longer

levied on the assumption that it was related to the occupation of a definite unit of land, and the exchequer was therefore no longer concerned to the same extent as formerly with the binding of the taxpayer to the soil. And so from this time onwards there is an abatement in the restrictions placed upon the rural population.

The appearance of a solid stratum of free and free-moving peasants is most clearly revealed in the famous Byzantine Peasants' Law (*νόμος γεωργικός*) that was drawn up, certainly at the end of the seventh century, and in all probability under Justinian II (685-95).¹ The Law is assuredly not to be regarded as an act intended to do away with the peasants' obligation to the soil. There was no question of any general repeal of this by means of legislation; on the contrary, the strengthening of the free and free-moving peasantry in this central period, as explained above, was the result of a complicated development conditioned by many different factors. The Peasants' Law has a more modest object: it sets out a number of regulations for the protection of both mobile and immobile peasants' property. But it undoubtedly takes account of a free and mobile peasantry, and hence its special historical value, for it supplies the evidence for the existence at the time when it was drawn up of a large population of such independent cultivators within the Byzantine Empire. The mobile peasantry who had as good as disappeared in the early Byzantine era had now become so important that it was necessary to draft a law particularly relating to them. It is true that there were always serfs in Byzantium, just as there were always powerful secular and ecclesiastical landowners; but, while in the early period it is the great landowner and his soil-bound *coloni* who completely dominate the picture, the Byzantine provinces are now increasingly characterized by small free-peasant holdings.

If we combine the evidence of our sources we get the following picture of the free Byzantine peasant in this central period. As in the West, so in Byzantium we find two main types of peasant settlements: the nucleated village (*τὸ χωρίον*) and the separate farmstead (*ἡ κτήσις*). In the case of the isolated farmstead the peasants' property was not in scattered plots and the arable land lay immediately round the farm buildings. It was a self-contained farming unit, a kind of hamlet, comparable to the later Russian *chutor*. But the far more common type of settlement was the nucleated village. In the middle of its land stood

¹ Scholars still disagree on the question whether the mention of Justinian in the title of the Peasants' Law is to be regarded as an erroneous allusion to Justinian I, or, rather, as Vernadskij, *Byzantium*, II (1925), 169 f., suggests, as a reference to Justinian II. In the solution of this disputed point the decisive factor seems to us to be that the majority, and certainly the oldest, manuscripts give the Law as an extract *ἐκ τοῦ Ἰουστινιανοῦ βιβλίου* (singular), whereas if Justinian I had been meant one would certainly expect to find *βιβλίων* (plural).

the little group of peasants' houses lying close to one another, with their farmyards and vegetable gardens. This was the centre round which the peasants' property was grouped, the arable land, the vineyards, and so on. Their land (*στάσις*) was usually divided up into several little fragments (*μερίδες, κατατομαί*) which lay scattered in different places. Like the orchards and vegetable gardens, the vineyards were as a rule fenced. The arable land usually did without any fencing, but there is no doubt that it was in every way the hereditary property of the individual peasants. According to the older theories, the village community in Byzantium was characterized by communal ownership and periodical sharing out of all the village land, the individuals to whom it was allotted being allowed only a limited use of it for a stated period. It is necessary therefore to lay special emphasis on the fact that, as in the Roman, so in the Byzantine Empire, property and land were always hereditary and individual possessions. The holder, even if he were merely a peasant living in a village, had complete and unlimited legal right of disposal over his land. The Byzantine sources show quite clearly that peasant land was handed down from generation to generation by inheritance and that it could be freely alienated by the possessor just as he chose—by sale, by gift, or limited lease.

Besides the arable land and the vineyards which were the personal property of individual peasants, there was the unallotted land. It was usually pasture land and woods which remained unallotted, but sometimes there was other land which seemed less suitable for cultivation or was for the moment superfluous. If necessary this could also be parcelled out to individuals to be absorbed into separate economic units and to become their private and irrevocable property. When our sources speak of dividing the land, it is not, as we used to suppose, a question of periodically apportioning all the village lands, but of a subsequent parcelling of the land originally left over because it was not needed. These allotments had the effect of assisting the ordinary process of bringing the land gradually under cultivation. As we have already emphasized, in the early medieval period the Byzantine Empire had an increasing amount of cultivable land that was not in use. The problem of how to satisfy the desire for land had not yet arisen. It was only a question whether the capital and the equipment necessary for bringing fresh land under cultivation were available.

The tilling of his fields was the chief occupation of the Byzantine peasant and the chief support of his existence; but the vineyards were also of great importance. Most peasants seem to have possessed vegetable gardens, and beekeeping was very general. Cattle breeding played a prominent part. It was the possession of cattle more than anything else that was the measure of a man's wealth. As the pasture land mostly

remained undivided, the cattle of all the inhabitants of the village grazed together, under the care of the village herdsman, who was paid by individuals in proportion to the number of their cattle. And then there were the village mills—both windmills and water-mills—which generally belonged to the whole village community. Craftsmen, who very often played such an important part in the villages of the neighbouring Slavonic towns of the Balkans, are practically never to be found in the Byzantine villages. This is accounted for, not so much by the fact that the Byzantine peasants supplied their necessary domestic equipment, their tools, their clothes and so on, from within their household (for to a great extent the Slavonic and the West European peasants did the same), but rather by the fact that Byzantium was much richer in cities, and the village therefore stood in closer relation to the town where the peasant could satisfy his needs. Moreover, markets were held periodically in the country districts, and these facilitated exchange between village and town and probably held a significant place in agricultural life. The privilege of holding a market gave the district thus favoured a considerable advantage, and there seems to have been not a little dissension over the fixing of the sites for country markets.¹

There was naturally a great deal of difference in the amount of property held by individual peasants. There were the big peasants, who had fine holdings, cultivated valuable crops, possessed large herds of cattle and even slaves, bought land or took it on lease. Then there were very poor peasants who could not work their land and who tried to lease it. In such cases it was usually a question of a short-period lease arranged on the metayer system (*ἡμίσεια*), whereby half the yield went to the tenant and the other half to the owner of the land. In the case of a long lease for the more valuable kinds of cultivation (*μορτή*) the tenant (*μορτίτης*) kept nine-tenths of the produce. At least that is according to the provisions of the Law. But the facts that questions arising from this kind of arrangement must have become specially acute, and that the Peasants' Law expresses the regulations relating to it in biblical phrases, indicate that this principle was not always adhered to. In any case there are frequent instances of the payment of the tithe by the lease-holder, but to all appearances the arrangements varied appreciably, according to the respective economic and social positions of the tenant and the owner. With the development of a money economy rent was increasingly, and in later times almost exclusively, paid in money, which meant that the terms varied very much and were arranged to suit individual needs. When state land was leased the rent (*πάκτον*) was simply treated as a tax, and there was practically no difference between the government tax and the rent.

¹ Cf. Basil II's novel of 996 (*Zepos, Jus*, I, 271 ff.).

The superfluous energies of the richer peasants were employed in bringing under cultivation additional land outside the village boundaries. If a peasant had the necessary capital and equipment it was not unusual for him to leave the village and settle down outside its territory, building himself a house and transferring thither his activities. So there arose on the outskirts of the village individual properties with their own buildings, very like the hamlets of the separate farm settlements which we have already mentioned. Sometimes these were fairly small peasant holdings (*ἀγρίδια*) worked by the owner, but sometimes there were also large estates (*προόστεια*) run with slaves or small lease-holders. These new settlements and the formation of individual properties of this kind were frequently caused by the division of inheritances; some of the heirs would retain the old farm in the village, while the rest would found for themselves separate new farmsteads outside the village boundaries. If, however, economic resources did not run to this, and provided that none of the heirs went into the city as day-labourers, or to other men's farms as farmhands, if, in fact, all the heirs stayed in the village, then they either worked the family land jointly, or undertook to divide it. This last arrangement naturally led to further splitting up of peasant property, and in time this subdivision and scattering seems to have reached extraordinary proportions. To remedy this evil a procedure somewhat like the present-day 'cleaning-up of the fields'¹ was adopted. This was used particularly in cases where a peasant's property lay in two different villages, when, at the peasant's request, the government official would transfer it, so far as possible, to one place.

This complicated village formation, with the compact central settlement, the confused patchwork of peasant-owned plots lying around it, the unallotted commons and fallow land, and the individual estates on the outskirts, all went to make up a commune. This commune (*κοινότης, ἀνακοίνωσις, ὁμάς, μετουσία*) represented, however, not so much an economic, as an administrative and fiscal unit. It possessed economic functions only in so far as the inhabitants of a village were naturally united by economic interests and joined together to protect them. Moreover, the self-governing rights of the Byzantine village community were of a very limited nature, for nothing took place in a Byzantine village without government supervision and even the most trivial matters of daily life were controlled by the government officials. The tax inspector (*ἐπόπτης*) visited the village for regular and periodically recurring inspections as well as for extraordinary ones made necessary by special circumstances. He undertook the measuring and valuation of the land, and not only levied the general tax on the village

¹ *Feldbereinigung*: the technical German term for that rearrangement of holdings which in England accompanied the enclosure of open fields.

district, but also assessed the taxes of the separate members of the commune. He was naturally also responsible for deciding all remissions and reductions in taxation, for defining their extent and the time allowed for payment, all of which involved a thorough examination of the circumstances of the taxpayers. He also ratified the transfer of property in cases of inheritance and division among heirs, or of purchase and gift, in order to transfer the taxes to the new owner or to allocate them among the heirs.

The financial factor was of primary importance in deciding the character of the Byzantine commune. The Byzantine village community was a fiscal unit. The village formed a fiscal district (*ὑποταγή χωρίου*) and a general tax (*ρῖζα χωρίου*) was laid upon it, which was then distributed among the individual properties. All property which shared in the payment of this general tax was part of the commune; moreover, the owners of individual estates, who had cut themselves off from the village and carried on a separate economic existence, were members of the village community, in that they had a share in the fiscal burden of the mother-village. On the other hand property exempt from the tax was separated from the commune, even though it lay within the boundaries of the village; and further, if property lying among the peasant-owned plots was taken possession of after the valuation and taxing of the village and then subsequently burdened with a special additional tax (*προσθήκη*) and separately inscribed in the tax books, it did not belong to the commune, but was considered as a separate 'independent' property (*ιδίόστατον*). This was a characteristically Byzantine feature. It is true that in actual fact the 'independent' properties were mostly large estates. But that was not the deciding factor, for this 'independence' was a purely technical one for fiscal purposes. In connexion with this classification, the ownership of the property, its size, the position of the plots, their condition or economic resources—all that was immaterial. One thing only was important: it had to form a special fiscal unit, whether by reason of carrying a special tax and being inscribed in the tax book under a special heading, or by being exempt from taxation and—in the case of complete exemption for an indefinite period—removed from the registers.

The members of the commune were responsible as a body (*ἀλληλεγγύως*) for the payment of the taxes. If a peasant lapsed into poverty or abandoned his property, then another, generally his neighbour, had to pay his taxes for him and thus acquired the right of usufruct on the land in question. But if the absent man paid his taxes regularly his property remained inviolable. He who paid the taxes was the possessor. This typically Byzantine principle became fully developed in this period in the so-called *allelengyon* system, which represented a continuation,

and at the same time a variation, of the late Roman system of the *epibole*. For, if in the late Roman period, as a result of the serious scarcity of labour, the forced transfer of fallow land was the primary consideration and the imposition of the burden of taxation only a consequence, in medieval Byzantium it is the additional tax which is the decisive factor and the transfer of property the inevitable and logical result.

The *allelengyon* system of payment imposed excessively heavy charges on the peasantry, and this sufficiently explains why membership of a village community was considered burdensome, and why a peasant usually preferred to own a detached property.¹ The taxes were extraordinarily heavy, quite apart from the *allelengyon*, and the additional liability, not only for one's own taxes, but also for those of others, frequently ruined the people upon whom it fell. When the government levied the *allelengyon* on abandoned property, this more often than not had the effect of forcing the decision to emigrate upon those who had so far remained behind, simply because they could not face this extra burden. To prevent the withdrawal of even more taxpayers and greater depopulation than ever, the government found itself forced to give up taxing abandoned property and to remit any such payments, that is, to annul the *allelengyon*. If the absent owners did not return within thirty years this remission of taxes was transformed into a final exemption, and so there appeared the exempt property (*κλάσματα*, later known as *ἐξαλειμμένα*), which was thus cut off from the village community. This phenomenon was already known as early as the seventh century, and after the tenth it seems to have become particularly widespread. The appearance of exempt property actually meant the gradual break-up of the system of paying extra taxes, and, although this was still legally and theoretically valid, yet it usually proved unworkable in practice. The rights of ownership over exempt land fell to the state, which could sell, lease, or grant it. Such property was usually lost to the peasant village, for it can scarcely be supposed that the peasant who himself, or whose ancestors, had been unable to take over property merely because of the liability for payment of taxes would, thirty years later, have been in the position to purchase it or even to take it on a lease. This was only possible in exceptional circumstances, and generally the exempt property, when it did not remain in the possession of the state, fell into the hands of the great landowners; and this is one of the factors which contributed to the disintegration of the peasant village communities and the absorption of peasant-owned land into the great estates.

When an important landowner had obtained a plot of ground lying

¹ In this connexion cf. the interesting remarks in the novel of Constantine VII Zepos, *Jus*, I, 216).

in the middle of a village it was only natural that he should attempt gradually to buy up the land round about and that the neighbouring small owners should become first economically and then legally dependent on him. Another factor which accelerated this same process was the direct alienation of different parts of the village to secular or ecclesiastical landowners, either by sale or long-term lease or as a gift. Men who took monastic vows usually made over their property to the monastery, and very often the devout Byzantine before death bequeathed his personal and real estate to a monastery. Thus the great landowners penetrated into the village, the secular lord above all through purchase, the ecclesiastical through purchase but also very often through bequest.

III. *The struggle to preserve the small landowner in the tenth century*

At the beginning of the Middle Ages when the Byzantine Empire had emerged from the turmoil of the invasions of both the barbarians and the Arabs it showed a lack of economic and social differentiation. But this marked a period of transition. Gradually once more a definite class system and, at the same time, the development of great landed estates became noticeable. As early as the end of the eighth century we see the rise of various powerful families, but by the end of the ninth and the beginning of the tenth centuries the aristocracy had so much power, and had succeeded in being recognized as a privileged class to such an extent, that it claimed to fill the higher positions in the army, and was able, by the repealing of older laws, to secure for itself important economic privileges.¹ The marked capacity of this class for economic expansion found its real outlet in agriculture. In Byzantine cities commerce was so strictly controlled that there was little scope for private initiative; trade and industry were regulated down to the smallest detail, and jealously supervised by the government. The only outlet for the development of private enterprise on a large scale or for the use of superfluous capital was in the acquisition of rural estates. The 'powerful' men (*δυνατοί*), as the more important and economically stronger elements of Byzantine society were called, greedily consumed the property of the 'poor' (*πτωχοί, πένητες*). They bought up the holdings of peasants and soldiers, and made their owners dependent upon them.

This was very dangerous for the Byzantine state, for both its financial

¹ *Tactica Leonis*, ed. Vari, II, § 25. Cf. also II, § 17 ff.; IV, § 3; *Nov. Leonis*, 84, 114, ed. Zepos, *Jus*, I, 152, 186.

and its military strength depended on the existence of the small freehold peasant property. The reduction in the number of peasant holdings meant that the state lost its best taxpayers, the decline of the military holdings that it was deprived of its soldiers. The system created by Heraclius, which was responsible for the strength of the medieval Byzantine state, began to be undermined, and the danger of the feudalization of the Empire was in sight. The Byzantine emperors were very well aware of what was at stake. They strenuously attempted to protect the small peasant-owner and they vigorously opposed the forces of feudalism. And so there began a bitter struggle between the rising owners of great estates and the central authority, a struggle which lies at the heart of the whole development of internal politics in the Byzantine Empire of the tenth century. It is both the most important and the most dramatic phase of Byzantine agrarian history, and it determines not only the later evolution of agrarian conditions, but also the fate of the Byzantine Empire.

The imposing legislation of the Byzantine emperors for the protection of the small landowner began with the novel of Romanus I Lecapenus (919-44). This law of April 922 first of all restored the old pre-emption right of the neighbours (*πρωτίμους*) which Leo VI (886-912) had restricted in the interests of the landed nobility, and it formulated this institution in a new and significant way. In cases of the sale of peasant land five categories were to enjoy the right of pre-emption in this order of preference: (1) relatives who were joint owners; (2) other joint owners; (3) owners of plots mixed up with the property to be sold; (4) owners of adjoining plots who were jointly responsible with the seller for taxes; (5) other owners of adjoining plots. It was only when all these declined to purchase that the land might be sold to outsiders. This system was intended to protect the small landowner from being bought out by the 'powerful' and at the same time to prevent further subdivision. The 'powerful' were to have no right whatsoever to obtain further possession of peasant land, except in cases where they owned property in the villages concerned (which might, as we have seen, easily be the case as a result of the purchase of an exempted property, thus giving the 'powerful' a pretext for the further buying up of peasant land). Moreover, they might not accept gifts and legacies from 'poor' men, unless they were related to them. He who was convicted of breaking these regulations was to restore the purchased property without being compensated and in addition to pay a fine to the state treasury, provided he was not protected by a ten-year, or in the case of a military holding even a thirty-year, prescription.

This act, in spite of its severity, did not have the desired effect. As a result of the long and severe winter of 927-8 the empire was afflicted

with an extremely bad harvest and there were outbursts of terrible famine and devastating plague. The 'powerful' profited from this time of distress, for they bought up the land from the starving populace at ruinously low prices or took it in return for providing food. This led to Romanus I's novel of September 934, when the emperor denounced with the utmost severity and bitterness the selfish greed of the 'powerful', who had 'shown themselves to be more merciless than famine and plague'. Yet he did not insist on a general restitution of all purchased property, as one would have expected from the strict prohibitions of the law of 922. It is true that all gifts, legacies, and similar transfers were declared invalid, and in addition all property had to be restored without compensation, if it had been bought for a sum less than half its fair price. But if it were a question of legal sale, then the return of the property was conditional on the repayment of the purchase price within three years. As far as the future was concerned, Romanus renewed the prohibition of any acquisition of peasant land by the 'powerful', while he insisted that land already acquired should be returned freely to the former owner and a fine paid to the state treasury. This, however, was for the future, and it is clear from the novel of 934 that, in spite of the stern tone, the government measures could not be applied with the severity anticipated. It may be safely assumed that a great deal of the peasant property acquired during the famine remained in the hands of the 'powerful', for it may certainly be doubted whether a peasant who had been forced by distress to sell his land would be able in three years to get together the amount necessary for the repayment of the purchase price. Even in the case of illegal purchase which, according to the requirements of the law, should have been followed by gratuitous restoration of the acquired property, it is doubtful whether the peasant was always, or even generally, given back the rights over his property, for it must be realized that the men who were open to conviction for illegal purchase would usually be the local officials placed over him, or their relatives and friends.

In fact not only did the 'powerful' retain their position, but the buying-up of peasant property continued, and the successors of Romanus I had to issue new laws and to take even stricter measures for the preservation of the small landowner. Constantine VII (944-59), after he alone was in control of the government, in his law of March 947 forbade once more the purchase of peasant land, and insisted on the free restitution of illegally acquired property. Then when land was sold by the 'powerful', other things being equal, peasants were to enjoy the right of pre-emption. Yet for previous purchases the rule which provided for repayment of the purchase price in cases of restitution still held good; though it is, however, true that the law of 947 freed the poorer

sellers whose resources were less than 50 gold pieces from this obligation.¹ But later, as we learn from a novel of his son, the 'powerful' exerted pressure to compel Constantine VII to revoke these prescriptions and to content himself with prolonging the period for the repayment of the purchase price from three to five years.

The Byzantine central authority was naturally most eager to protect the military holdings. These were in the same position as the peasant holdings, and came, on the whole, under similar regulations. A law of this same Constantine VII emphasized the inalienability of the lands from which the soldiers derived their livelihood and means of equipment. And indeed the holdings of both the mounted soldiers and the marine troops of the themes were said to have been worth at least four pounds of gold, and those of the paid sailors of the imperial fleet two pounds each (according to other statements from five to three pounds). The regulations by which illegally acquired military holdings might be taken from the purchasers without compensation were to be strictly observed, and, moreover, it was not only the former owner who might claim the restitution of the military holding, but also, according to claims of priority, the relatives up to the sixth degree, then those who were jointly responsible for the labour or military services, as well as the poorer soldiers who paid their taxes jointly and, finally, the peasants who belonged to the same fiscal district. The period of uncontested possession necessary for land that had formerly been a military holding was lengthened to forty years.

But it was useless. Just as Constantine VII had had to repeat the provisions of his father-in-law, Romanus I, so his son, Romanus II, had to introduce new laws to prohibit this buying-up of peasant and military holdings which had so often been forbidden. If imperial legislation shows an ever-increasing severity, the great landowner's urge to expand seems even more overwhelming. The central government could only slow down the absorption of the small landowner, it could not suppress it. Against the united front of all the 'powerful' even the might of the autocratic Byzantine Empire was of no avail. The great landowners and the officials formed, so to speak, a caste. The more important officials and officers naturally sought to obtain an estate in the provinces; as we have seen, they could scarcely invest their money in any other way; while the richer landowners strove, for their part, to rise into the official class and to secure for themselves, by taking over an official post or buying an official title, the social standing and connexions which they lacked. Usually the 'powerful' man was a great

¹ The Byzantine gold-piece (*νόμισμα*) contained 4.48 grammes of gold, thus representing metal to the value of about 15 gold francs; 72 *nomismata* gave one pound of gold (about 1096 gold francs).

landowner and an official at one and the same time. These facts are significant enough to explain why the government measures, in spite of their severity, could have no success. It was in the interests of those responsible for the execution of these measures to let them drop. It was the most powerful economic, the most eminent social, elements in the Empire whose will was diametrically opposed to that of the central administration. But most important of all, perhaps, was the fact that often the will of the peasant ran counter to the intention of the government. The excessive burden of taxation produced a new wave of the *patrocinium* movement. The poorer peasants renounced their burdensome freedom and placed themselves under the patronage of a powerful master, thus gaining relief from the pressure of duties and services. This explains how it was that the peasants not only sold their holdings to the 'powerful' but often gave them away, which simply meant that they voluntarily became the serfs of the landlord in order to escape from misery and insecurity and to find protection against the excessive state taxation, and, above all, the extortions of the tax-collectors. So the government which was attempting to protect the small freehold landowners usually had to contend, not only with the opposition of the great landowner, but also with that of the peasant himself.

The aristocracy was always strengthening both its economic and its political position. In the person of Nicephorus Phocas (963-9), a representative of one of the largest and richest families of magnates in Asia Minor, ascended the throne. The Byzantine government had hitherto opposed the great landowners' tendency to expand. Now the 'powerful' had their revenge. It was sufficient for Nicephorus Phocas to put an end to the preferential treatment given to the small landowner; his law of 967 deprived the peasants of the prior purchase rights in cases of the sale of property by the 'powerful', and in the name of justice it restored equality of treatment between the 'powerful' and the 'poor'. Conditions were such that this formal equality meant in practice the handing over of the small peasant proprietary to the 'powerful'. On the other hand, as a great military emperor, Nicephorus sought to strengthen and increase the property of the soldiers, but this in fact was to lose the character of peasant property. In future the value of the inalienable minimum of a military holding was to be not four, but twelve pounds of gold, and the emperor justified this by pointing to the new and more effective military equipment. This change must certainly have meant that the Byzantine army would henceforth be composed of a different social class. The heavily armed soldiers of Nicephorus, for whom he attempted to guarantee a holding worth twelve pounds of gold, could no longer be the old peasant militia. They could in all likelihood only be recruited from the rising class of the lesser nobility.

But while Nicephorus tried to foster the increasing strength of both greater and lesser secular nobility, he opposed the growth of ecclesiastical possessions. Since Gibbon's day it has been generally assumed to be an axiom that the increase of church and monastic lands was detrimental to the interests of the Byzantine Empire. But this is by no means obvious. As long as there was a surplus of unused land capable of cultivation, the growth of ecclesiastical property was an asset rather than otherwise, particularly as church and monastic estates in Byzantium were in principle liable to taxation. But as soon as any scarcity of land became noticeable, the further growth of ecclesiastical property at the expense of more productive forms of ownership, especially of peasant ownership, must have caused the state great anxiety. For the public utility of the ecclesiastical lands was naturally less than that of other landowners; and besides the principle of the liability of churches and monasteries to pay taxes was often broken, and their property frequently exempted from the burden of taxes, through the granting of privileges. The law of Nicephorus Phocas forbade all transfer of land to churches and monasteries and also prohibited new foundations, pointing out that earthly riches were prejudicial to the true monastic life, and that there were numerous old foundations in a state of economic decay which men should assist with grants of money instead of making unproductive transfers of land and founding new houses. This bold law of Nicephorus Phocas was repealed by his immediate successor, John Tzimiscēs (969–76), who, however, being himself a member of a great family, seems otherwise to have continued Nicephorus Phocas's agrarian policy.

The last to fight against the rise of the great landowners was Basil II (976–1025), the greatest of the Macedonian house. He acted with unparalleled energy and proved to be the strongest and bitterest enemy of the landowning aristocracy. He had already broken the political ambitions of the Byzantine magnates in a terrible civil war, and now he set out to curb their economic ambitions. He resumed the anti-aristocratic policy inaugurated by Romanus I Lecapenus, and not only continued it with unwavering consistency, but made it considerably more severe. By his law of 996 Basil II repealed the legislation legalizing the purchase of land by the 'powerful' after a definite period of delay. His radical policy was such that he did not fear to confiscate, even when there was no legal justification for this. But the most potent measure which he took in his struggle against the great landowners was the decree that the 'powerful' should pay the *allelengyon* for the poor, i.e. should be responsible for the peasants' tax arrears. Thus the burden of the *allelengyon* system which had, up to then, been borne by the neighbours of the insolvent taxpayer—according to the principle of the general liability of the whole village community for the payment of taxation—was trans-

ferred to the great landowners alone, without their being granted the right of usufruct on the property concerned. This measure had a two-fold effect: it gave the treasury greater certainty of securing the *allelengyon* money the payment of which, as we have seen, was often beyond the resources of the peasants; and it dealt the 'powerful' another heavy blow.

The opposition was crushed, but the moment that Basil II died it rose again. The death of Basil II was the turning-point in both the political and the economic development of the Byzantine Empire. His ineffective successors were not in a position to continue the struggle. Only a few years after his death the 'powerful' succeeded in getting the *allelengyon* payment abolished, and with it went, for ever, the whole system of additional taxes, which had been a fundamental element of the Byzantine method of taxation. The peasant could no longer pay the additional taxation, the 'powerful' would not. And the immediate interest of the treasury in the retention of this system grew less because, as the central administration became weaker from the eleventh century onwards, the system of farming out the taxes arose. This meant that, in the provinces where that method was employed, the tax-farmer took over the general responsibility for the payment of the taxes. It is true that the laws protecting the small landowner were not officially repealed, but after the death of Basil II the long series of these laws came to an end, which amounted to the same thing. For, as even the government regulations of the tenth century, in spite of their extreme severity, had been unable entirely to suppress the buying-up of peasant and military lands, now the passively benevolent attitude of the government meant that the great landowners' capacity for expansion could develop to the full. The destruction of the small freehold properties continued unrestricted; the great landowners absorbed the land of the peasants and soldiers and made the owners their serfs.

The 'powerful' had won. The central authority was forced to capitulate to them in the end. It had to give rein to a development which it could no longer check, and to leave the field open for the vigorously advancing class which had achieved both economic and social predominance. Thus the economic and social foundations on which Byzantium had previously rested had collapsed. The state relaxed its strict centralization and the feudalization of the Byzantine Empire began, the small freehold landowner being sacrificed in the process. Certainly there were free peasants in the late Byzantine period; but, whereas in the middle Byzantine period, from the seventh to the beginning of the eleventh century, the free and freely moving peasantry is the chief factor in agrarian development and the backbone of Byzantine agriculture, from the eleventh century onward, just as in the early

period, the great landlord dominates the scene. The agrarian history of the late Byzantine period is that of great landowners and their dependants.

IV. *The great landowners and their dependants in the late Byzantine period*

The decay of the peasant and military holdings implied a considerable fall in the state revenues and a fatal decrease in military resources. From the military point of view the Byzantine state was so impoverished and so weak that, from the second half of the eleventh century onwards, its very existence was imperilled. If the Comnenian dynasty succeeded in restoring Byzantine supremacy and creating a new army, it was only at the cost of extraordinary sacrifices on the part of the people. They were burdened more heavily than ever by the excessive taxation and the numerous public services required of them; and still the taxes were relentlessly increased. It was considered by no means unusual for the tax-farmers, when they undertook to levy taxes in a certain province, to make themselves responsible for collecting twice the nominal amount; this was regarded as a normal matter and scarcely worth mentioning.¹ Besides the actual tax assessment, the tax-farmer had to secure an additional sum for himself, for this was, after all, the point of his bargain. The high-handed extortions of the tax-officials and the tax-farmers were the subject of continual complaint from the Byzantine taxpayers. The population felt the oppression of their misdeeds even more than the actual burden of the taxes and the raising of the sums required.

Besides the land and head taxes, which went to make up the actual state tax (*δημόσιον*, *δημόσιος κανών*, and also simply *τέλος*), the rural population had to pay a whole series of regular and extraordinary dues, and to furnish various perquisites to the tax-collector. In addition there were the payments in kind and the labour services, the number and range of which were particularly oppressive in the late Byzantine period. Since the financial strength of the state had decreased at a time when its military needs were more varied than ever, and since the far-reaching decline of the native military resources compelled the government to recruit large numbers of foreign mercenaries, the population was for the most part engaged in providing for the defence of the country and in supplying the needs of the army. It had to find material and labour for the construction of ships, forts, bridges, and highroads. Above all, it had the crushing duty of giving the imperial officials and

¹ Cf. Zepos, *Jus*, I, 334.

the army food and lodging (*μυτάτον, ἀπληκτον*), of doing transport work (*ἀγγαθεία*), and of supplying troops passing through with every kind of provision either free or at a very low price.

In principle the whole population of the Empire was liable for these duties; but whereas the small landowner was completely at the mercy of the high-handed officials and military officers, the great landlord was able to protect himself from them to a far greater extent, and even to obtain an imperial order forbidding officials and officers from setting foot on his land. Such privileges had originally been granted by imperial chrysobull to churches and monasteries as a sign of the emperor's special favour. From the eleventh century onwards such grants increased in number and were frequently made to secular landowners as well. The imperial chrysobull granted exemptions (*ἐξκουσεία*) from part, or the whole, of the taxes and public burdens. Often only a partial remission was granted at first and a number of payments would be expressly excluded from the exemption, above all the land tax, the pasture tax, and the obligation of constructing fortifications, which in the last centuries of the Byzantine Empire had generally been replaced by a cash payment. The landowner could, however, make a further request and obtain a new chrysobull granting him full economic and financial immunity. The Byzantine state observed great caution in granting legal immunity, yet the exercise of lesser jurisdiction by the landowners, of which there are isolated instances as early as the eleventh century, seems to have been by no means unusual after the fourteenth century. Legally the great landowners were not favoured and they were subject to regular taxation; but through the granting of privileges more and more exceptions were made, mostly in favour of them and of the more influential monasteries.

There were three kinds of great landed property in Byzantium: the crown land, the estates of the nobles, and ecclesiastical and monastic land. The crown land (*θεῖοι* or *εὐαγγελῖς οἰκοί*, also *ἐπισκοπέμεις*) consisted of the private property of the imperial family and the actual state domain. In principle, and technically for administrative purposes, the state land was distinct from the imperial private property, but in actual fact the emperor had control over the state land, just as he had unrestricted control over all the state resources. The state land seems to have been scattered throughout the Empire, now in large massed estates, now in small parcels having their origin in the taking over of exempt property. It certainly had no fixed extent. Out of the great reserve of state and imperial domain, lands were continually being given and lent to persons who had rendered services to the state or had been able to win the emperor's favour, and above all to churches and monasteries. On the other hand the state was continually receiving new

land, not so much from exempt land, which counted for little by reason of its small extent, but rather from the very frequent confiscation of estates, which was the punishment of those imperial officials who had been convicted of hostility towards the government or who had fallen into disfavour.

But if state property fluctuated in amount, ecclesiastical property was in a condition of continuous growth. For it was continuously fed by the endowments of the devout of every class, from the emperor down to the humblest peasant. The alienation of land once dedicated to an ecclesiastical institution was, on the other hand, forbidden by ecclesiastical and secular law, and therefore only possible in exceptional cases and under special circumstances. The most influential churches had very considerable possessions, especially St Sophia at Constantinople. Sometimes the estates of the individual prelates, metropolitans, archbishops, and other churchmen, grew to important size. Closely related to the church were the charitable institutions, extraordinarily numerous in Byzantium: orphanages, homes for the aged, free hostels for travellers, hospitals, and so on. They enjoyed the most munificent support of the devout Byzantine emperors, and were likewise richly endowed with landed property.

But the most important part of the church's property consisted of the monastic estates. By reason of the reverence with which monastic life was regarded in Byzantium, most of the gifts of land naturally went to the monasteries, and came from such sources as pious foundations for a particular purpose, grants of land from those entering a monastery, or bequests. It was, therefore, above all to gifts that the gigantic and ever-increasing estates of the monasteries scattered over the whole Empire owed their origin, and it was but rarely that their growth met with even temporary opposition from the government. On the contrary, the monasteries enjoyed the most generous imperial privileges and received rich gifts of land from the emperors. Many Byzantine monasteries, whose records we are studying today, give the impression of a flourishing economic life and reveal an unlimited capacity for territorial expansion. But the economic conditions of individual monasteries were very varied. Those which enjoyed no privileges were often far from prosperous; they had taxes to pay and all the public duties to fulfil; they also had to supply recruits and were exposed to the violence of the civil and military officials. Land that was subject to taxes and public duties could in certain circumstances become a burden. But the prohibition of the alienation of church land hindered any normal economic regulation and the attainment of a right proportion between the supply of land and the resources necessary for working it. The monasteries which prospered were those which controlled sufficient

capital and the necessary labour, and which had been able to obtain from the emperor immunity from the state taxation; and it is just these monasteries whose records have come down to us. But it would seem that side by side with these there existed many poor monasteries and derelict monastic estates. While the former, which were economically flourishing, strove to increase their property, the latter, whose activity had diminished and who lacked capital and labour, attempted to get rid of land that had become unremunerative. This is the key to the understanding of the institution of the *charisticarioi*, which provided an outlet for the monastic economic activities that had been checked by the principle of inalienability. It is true that the leasing of monastic land offered a certain compensation for the veto on alienation; but even leasing beyond a certain period was usually forbidden to churches and monasteries. Moreover, there was not merely a problem of monastic lands; there were also impoverished monasteries which were in need of economic assistance. Such monasteries, together with the lands belonging to them, were given over to the so-called *charisticarioi*, who were influential laymen with great capital resources, and whose function was to administer the monastic lands in question and to attempt to restore their economic health. This institution, which was known from the fifth century onwards, spread enormously after the late tenth century, and reached its climax in the eleventh century. Again and again it met with strong opposition from the Church; and so, as at the Council of Chalcedon as early as 451, it was sternly and repeatedly condemned by later synods. For instead of looking after the financial well-being of the monasteries, the lay administrators regarded them as financial concerns for their own profit; and they cared even less for the moral and religious obligations of monastic life than for the economic interests of the monasteries. But this system nevertheless continued to exist and was expressly defended by several influential prelates, the reason being that, in spite of its many disadvantages, it must have fulfilled a vital need of monastic economy. From the period of the Comneni onwards the system of the *charisticarioi* began a new phase in its development. The emperors took into their own hands the granting of the *charisticaria*, in order to confer monastic estates—and certainly not the worst—as benefices. Henceforth the system served the interests of the state, not those of the monasteries and churches, while the abuses connected with it only increased in number. This stage marks the degeneration of the institution and apparently the beginning of its collapse.

In every period it was the property of the great lay landowners that expanded most conspicuously. It was their hunger for land which devoured the property of peasants and soldiers; it was they who, as *charisticarioi*, seized for themselves inalienable church land. The nature

and extent of the secular nobles' property were very varied. Both the greatest magnates and highest dignitaries, as well as the lesser officials and officers, belonged to the class of the 'powerful'. However sharply the distinction between 'powerful' and 'poor' stands out, yet the boundaries were never rigidly fixed: status was determined, not by origin, but by the way of life, and so ultimately by the financial circumstances of the individual at any given moment. Peasants who had become rich and managed to amass considerable property and no longer needed to earn their living with their own hands—these were counted among the 'powerful' without further question.

But, besides the landowners who had recently risen from the ranks and the holders of the less important official posts owning relatively modest estates, there were the possessors of the great *latifundia*, owning enormous groups of estates with hosts of serfs and herds of thousands of cattle. Often they had their seats in the capital, where they occupied important posts and drew the revenues of their property. For them the acquisition of land was a safe way of investing their wealth. From the eleventh century onwards, the landowning nobility, having carried the day and defeated the imperial power on both economic and political issues, thus making the state the defender of its interests, was generally able, like the churches and monasteries, to secure far-reaching privileges by means of imperial chrysobulls. But the most striking phenomenon in the life of the late Byzantine provinces, and the most characteristic accompaniment of Byzantine feudalization, was the *pronoia* system which appeared after the middle of the eleventh century. As a reward for services rendered or as a basis for the discharge of definite official obligations, the Byzantine magnates received lands to administer (*εἰς πρόνοίαν*), and with the land were handed over the peasants living on it who became the *paroikoi* of the *pronoetes*. A grant of *pronoia* differed from an imperial gift of land in that it was given—at least to begin with—for a definite period, generally for the lifetime of the recipient, and could therefore neither be alienated nor inherited. In return the *pronoetes* received far-reaching privileges and rights of immunity. From the time of the Comneni the *pronoia* system was given a military character, in order to provide a certain compensation for the widespread disappearance of military holdings. The *pronoetes* had to perform military service and to supply a certain number of soldiers according to the resources of the property granted him. The term *stratiotes* is now frequently applied, not to the old peasant soldier, who, it is true, is still occasionally met with, but who now plays a quite subordinate part, but rather to the *pronoetes*, whose levies, together with the foreign mercenaries, form the basis of the Byzantine military strength in the late period. The process of evolution had now produced a situation in

which the great landowner became the chief support of the Byzantine Empire and, through the *pronoia* system, the chief source of its military power. Thus the *pronoia* system became more and more important and widespread, and even found its way beyond the Byzantine frontiers into Serbia and the territory of the Venetian republic. Lands of varying size, sometimes smaller estates, sometimes larger ones, as also fishing rights, salt works, and so on, were granted out to *pronoia*. In the area allotted to him the *pronoetes* himself raised the taxes, part of which he paid to the treasury, part of which he kept for himself. Hence the more important *pronoetai* must have had their own administrative machinery. The *pronoia* lands were more or less autonomous and were as a rule outside the central administrative system, a fact which tremendously accelerated the process of feudalization. When in A.D. 1204 the Western powers set up the Latin Empire in Constantinople, and the Western barons created a number of principalities for themselves in Greek territory, they found that they were completely familiar with existing conditions, which they could take over without much alteration. They used the significant terms *fief* and *feudum* as adequate equivalents of the Byzantine *pronoia*. The Frankish rule in Greek lands furthered the process of feudalization, and produced conditions typical of a highly developed Western feudalism, with a complicated hierarchical system of relations between vassal and lord such as Byzantium had never known. But even on purely Byzantine soil in Asia Minor, as far back as the middle of the thirteenth century, there is an instance of a *pronoetes* who calls himself 'imperial vassal and knight' (ἰεξιὸς καὶ βαβαλλάριος).¹

The last stage was the conversion of the conditional and temporary possession of the *pronoia* estates into hereditary and unrestricted ownership. The distinction between *pronoia* estates and the hereditary estates vanished so completely that the very term *pronoia* gradually lost its real meaning and was applied to the most varied kinds of property. In the same way in Muscovite Russia the distinction between '*pomestya*' and '*vochenny*', i.e. estates held temporarily on condition of discharging military service and hereditary estates, disappeared, even though the development in the two cases differed here and there in detail, and at many points was quite different. The assimilation of the *pronoia* estates to other Byzantine property was made easier by the fact that, on the one hand, in the late Byzantine period great landed property of all kinds, except in so far as it was protected by privileges, was liable for the supply of recruits, and that, on the other hand, with the growing power of the *pronoetai* and their ever-increasing assertion of their independence of the central administration, the actual military services of the *pronoia*

¹ Miklosich-Müller, iv, 81 (of the year 1251) and *passim*.

estates diminished faster and faster as time went on, until at last they were scarcely different from the modest liabilities of the hereditary estates. The tottering power of the state could no longer oppose the efforts of the Byzantine magnates, and from the fourteenth century onwards estates originally granted *κατὰ λόγον προνοίας* were more and more frequently, as a result of pressure from the *pronoetai*, handed over *κατὰ λόγον γονικότητος*, or *κατὰ λόγον δεσποτείας*,¹ i.e. they became the hereditary property of the *pronoetai* and were lost to the state. The circle was complete: the hereditary landowners had obtained far-reaching privileges such as applied originally only to the conditionally-granted fiefs of the *pronoetai*, while the *pronoia* estates enjoyed all the advantages of private and hereditary property.

However varied and diverse the different kinds of Byzantine estates were, the principles on which they were worked were on the whole the same. On state and imperial domains, on ecclesiastical and monastic estates, on the hereditary and the conditionally granted property of the nobles, there were always the two means of economic development—tenancy and serf labour. On the other hand, as the ancient world falls more and more into the background, slaves become less important, and in the last centuries of Byzantium disappear completely. The most usual form of lease was the *emphyteusis*, well known as far back as the late Roman period, that is, the hereditary lease with liability for the improvement of the land leased. With the so-called perpetual *emphyteusis* (*διηνεκῆς ἐμφύτευσις*) the contract was valid for three generations; the short-term *emphyteusis* (*ἐμπερίγραφος ἐμφύτευσις*) was usually for 25 or 29 years, this being accounted for by the fact that residence on the landlord's ground for 30 years made the tenant his lord's *colonus*. Such considerations must have had less and less weight as time went on, and although the lease for a stated period is found existing side by side with the 'perpetual' lease, it was chiefly used on ecclesiastical and monastic estates; for church land was in principle inalienable, and could only be leased for an indefinite period on the estates of certain churches. But it seems that with every kind of tenancy it was possible to renew the lease, in which case the tenant usually had to pay a fine, or entrance fee, equal to twice the annual rent. In matters of detail conditions of tenancy were very varied and were settled according to the relations existing between the contracting parties. If it was a question of clearing untilled land for the cultivation of valuable crops, then it was agreed that the payment of rent should not begin until several years after the contract.² In the eleventh century the normal rate of annual rent for a lease seems to have been 1 *nomisma* for 10 *modioi* of arable land (1 *modios*

¹ Cf. Sathas, *Μεσαιωνικὴ Βιβλιοθήκη*, I, 39 ff.

² Miklosich-Müller, III, 237 f.

is about $\frac{1}{12}$ hectare).¹ In the fourteenth century the rent for a lease was somewhat lower, for then, in an age when the Byzantine gold coin was about two-fifths of its original value, one paid 1 *nomisma* (*hyrepyron*) for 25 *modioi* of good land or for 50 *modioi* of inferior land.² The rent of vineyards was about ten times as high as that of arable land of average quality.³ Seeing that with the ever-widening extension of money economy the actual price level did, on the whole, rise very appreciably in the last centuries of the Byzantine Empire, these data imply a relative fall in rents. The explanation of this can undoubtedly be found in the devastation of the large estates in consequence of foreign invasions and the generally chaotic conditions in the decline of the later Empire. In the division of the produce in kind between the owner of the land and the tenant, the former seems to have claimed no longer the tenth, but only the half of the tenth.⁴ All points to the fact that the economic decline in the age of the Palaeologi brought misfortune to the landowners, in spite of the powerful position which they had secured for themselves.

The lands of the dependent *paroikoi* were the most economically productive part of the landed estates. One could scarcely say that there was any fundamental difference between the *paroikoi* of the state (*δημοσιακοὶ πάροικοι*) and the *paroikoi* of private landlords. The state *paroikoi* could always be transferred to the *pronoia* of either a secular or an ecclesiastical lord. A transference of this kind could mean either the deterioration or amelioration of the condition of the *paroikoi* according to the general situation of the landlord, whose land might or might not have to bear many public services. For the rest the position of the *paroikoi* of one and the same landlord could be very different in individual cases, as we shall see. From the legal point of view the *paroikoi* were completely distinct from the free peasants, in so far as they had only a *dominium utile* over their land, while the land of the free peasants was under their *dominium directum*. But there was no economic or social gulf between them; economically the comparison did not usually tell in favour of the free peasant. It often happened that members of the same family were under a neighbouring landowner, some as free peasants and some as *paroikoi*. Priests and other clerics often had the status of *paroikoi*, and they could, indeed, be the *paroikoi* of *pronoetai*.⁵ The land of the *paroikoi* was their heritable possession. The landlord could not evict them, and indeed he had a vital interest in keeping his *paroikoi*. The relation of the *paroikoi* to the lord was so defined that they paid him a

¹ *Id.* iv, 15 (of the year 1073).

² *Vizant. Vremennik*, xvii, Prilozh, Nr. 92 (of the year 1323).

³ Uspensky, *Materialy*, xxx, 1 ff., 21 (*Practicon* of the monastery of Chilandariou).

⁴ *Vizant. Vremennik*, xvii, Prilozh. Nr. 30.

⁵ Miklosich-Müller, iv, 71, 81.

rent and as a rule had to perform prescribed services on the lord's demesne. But they kept their personal freedom. One might say that the *paroikoi* were bound to the soil of 'the manor', not personally, but financially and economically. They could not leave their lord in so far as they had economic and financial obligations towards him; if they did, the lord could demand, and in some circumstances compel, their return. It was not unusual to find the *paroikoi* leasing land from another lord with the permission of their own lord. There are instances of their settling in the nearest town—presumably as craftsmen—and if they made their due payments their lord had no cause for complaint.¹ This makes it clear that there were *paroikoi* who owed the landlord rent alone and had to perform no direct services. Indeed the owners of large lordships did not need to demand labour services from all their *paroikoi*. So far as possible, the services were valued in money and commuted, in the same way that the state often took money payments in lieu of obligatory labour services. But the *paroikoi* were normally employed on the estate in definite manual and team works. Then there were also agricultural labourers who had no property of their own, but who lived on the estate as farm hands. They took the place of the slave labour by means of which Byzantine estates in the early Middle Ages were still largely worked. It is significant that they were called *δουλοπάροικοι* or *πάροικοι δουλευταί*, which shows clearly how like they were to slaves.

The *paroikoi* who had their own land mostly lived in villages as the free peasants did; the arable land was grouped round the peasant homesteads which, with the orchards and vegetable gardens, formed the centre of the village. Usually the peasant families were very large; married sons often remained on their father's farm, so that family communities grew up, although these never reached the size of a Serbian *zadruga*. The main concern of the Byzantine peasantry, the free as well as the servile, was always the arable land and the vineyard, and, after these, cattle breeding; in certain districts the cultivation of the olive was also very important. As in the late Roman period, so in medieval Byzantium and also in the contemporary Muscovite kingdom, it was possible to distinguish between three grades of land according to their value. In the thirteenth century one paid almost 1 *nomisma* (which was then worth three-quarters of its nominal value) for 1 *modios* of good, 2–3 *modioi* of medium, and 5–10 *modioi* of inferior land; for vineyards one paid then on an average about 6 *nomismata* for 1 *modios*; an olive tree with the land belonging to it cost about 1 *nomisma*, without the land about $\frac{1}{3}$ *nomisma*. Usually the property of the *paroikoi*, like that of the free peasants, was divided into several small strips of land. There is an instance of a *paroikos* who had 75 *modioi* of land altogether (i.e. about

¹ Cf. Miklosich-Müller, IV, 2 f.

6 hectares) and possessed not less than thirteen separate parcels: one also finds minute parcels which were only 1 *modios* in size.¹ One of the monasteries on Athos was given by the emperor 748 *modioi* of the best land on the island of Lemnos, and this was divided into 22 separate plots of land of which some were only 3 *modioi* in size.² There were no doubt larger properties, but as a rule the lands owned by the state and the lands of the monasteries, mostly acquired by bequest, were widely scattered in fragments. Hence the great variety of conditions of possession; all kinds of landownership lay intermingled and intersected. There is a case of a single village that belonged partly to a monastery, partly to a private landowner, and partly to the state.³

It would be wrong to conclude from this that there was any real land shortage, for Byzantium never lacked idle land. The greater part of an average estate remained, as a rule, uncultivated, used at best as grazing ground, a great deal was leased out, for the holdings of the *paroikoi* certainly formed the most productive, but also the smallest, part of the landed estates. The difficulty in making proper use of the larger estates was partly due to the primitive conditions of economic technique; for in this respect the Byzantine Empire, so far ahead in culture, was in many ways far behind the West. Thus Byzantium to the end of its days continued to employ an extremely uneconomic and antiquated harness for draught animals, while by the tenth century the West had evolved a greatly improved method of harnessing, which from the thirteenth century onwards was also found in Serbia. True, as we have already said, in medieval Byzantium the superfluity of uncultivated land was not so great, the need of workmen not so pressing, as in the early Byzantine period; and in times of economic activity the classes which were then strongest showed a marked desire for land. But it must be remembered that this desire was only for the best kinds of land. It is an open question whether, for the big landowner who seized the property of the peasants, it was not in the first instance really a matter of acquiring labour by reducing the free peasant to the position of a serf rather than of acquiring land. Monastic documents often give the impression that the monasteries, as recipients of imperial bounty, laid the greatest stress, not on the gift of the actual land, but on that of the *paroikoi* allotted to them.

Paroikoi were distinguished according to their possessions and their economic potentiality. In estimating this, the conception of the ζευγάριον was used, which meant primarily a yoke of oxen; but in a derivative sense, like the Roman *iugum*, it meant an economic and fiscal unit, in which the peasants' wealth and tax-paying capacity was measured.

¹ *Vizant. Vremennik*, xvii, Prilozh. Nr. 40.

² *Akty Russago na svyatom Afone monastyrya*, Nr. 25 (of the year 1407).

³ Miklosich-Müller, v, 192 (of the year 1350).

A property was said to consist of so many ζευγάρια, and peasants are described, according to the value of their possessions, as ζευγαράτοι, or βοιδάτοι, or also as ἀκτήμενες. The *zeugaratoi* were those *paroikoi* who had a yoke of oxen and a plot of land of a given size and quality, that is, land that could be managed with the help of a yoke of oxen. The actual area varied with the quality of the land and with local conditions from less than 100 to even more than 200 *modioi* of arable. This was the normal size of an adequate peasant holding. Besides the *zeugaratoi* there are occasionally found *duozeugaratoi*, who had a double share of land and two pairs of oxen. Those *paroikoi* who were known as *boidatoi*, on the other hand, had only a single ox and half the normal unit of land. Lastly, there were the *aktemones* who had no land, and no draught animals, except perhaps a donkey. The payment owed varied with the holding. On one estate in the seventies of the eleventh century the *zeugaratoi* paid a ground tax (συνωνή) and a hearth tax (καπνικόν) of 1 *nomisma*, the *boidatoi* paid $\frac{1}{2}$ *nomisma*, while the *aktemones*, being landless, contributed no ground tax, but only had to pay the hearth tax ($\frac{1}{2}$ *nomisma* if they had a donkey, $\frac{1}{4}$ *nomisma* if they had no draught animal). Domestic animals were subject to a special tax, the grazing tax (ἐννόμιον); for the bigger cattle 1 *milesarion* (a silver coin worth $\frac{1}{12}$ of a *nomisma*) per head, for sheep 1 *nomisma* per 100 beasts.¹ The landless folk were mainly occupied about the flocks and herds. Nevertheless, the boundaries between the various categories were not rigid. The landless folk might be provided with land and the corresponding equipment and promoted to the class of the *zeugaratoi*.² Since there was no lack of land, landlessness was usually only a transitional stage.

The status of προσκαθήμενοι, which often appears in the sources, was also an intermediate one. Usually peasants who had settled on the land of an estate only a short time back were so described. After a definite time they became *paroikoi* and could be inscribed as such at the next official inspection, whether as *zeugaratoi* or as *boidatoi*, according to the possessions which they had meanwhile acquired.³ In the late Byzantine period there is plenty of binding to the soil; but among a large part of the population there is also plenty of wandering. The later the period and the more uncertain the conditions in the declining Empire, the more often we find this floating class of 'foreigners', the 'free' (from the point of view of taxation), the 'unknown to the treasury' (ἐξένοι, ἐλεύθεροι, τῷ δημοσίῳ ἀνεπίγνωστοι). Some of these were probably inhabitants of the districts devastated by hostile invasions, some people who had once been free peasants, or *paroikoi* who had fled from im-

¹ Miklosich-Müller, VI, 15 (of the year 1073).

² *Izvestiya Russ. Archeol. Inst. v. Constantinople*, VI, 36.

³ Cf. Miklosich-Müller, IV, 182.

poverished estates. Sooner or later they settled down on the property of bigger and richer landowners to become their *paroikoi*. This colonization was doubtless to the interest of the landowners, who thus gained new workers. So we see how big landowners—so far as our sources tell us they are nearly all rich monasteries—protect themselves by securing beforehand a chrysobull giving the imperial assent to the settlement of such people. But the landlords concerned do not merely wait for the appearance of new settlers: they know how to entice them by various devices. Here we meet a phenomenon that is of great general significance in economic development: the smaller and poorer estates lost their workers, who flocked to the bigger, the richer, and—what is perhaps most important of all—the privileged, estates.

Impossible as it is to make any generalization as to whether the condition of *paroikoi* was better on imperial or private property, on the estates of the Church, or on those of the secular nobles, it is, however, a clear and unmistakable fact that the *paroikoi* on the bigger and more privileged estates were in a considerably more favourable position than those on the smaller and unprivileged. The less land an owner possessed, the greater the demesne from which he lived in proportion to the whole estate and so the smaller the number of his *paroikoi*, the more must he burden each *paroikos* with demesne services. On the other hand the *paroikoi* on the bigger estates which had more workers could give their chief attention to the cultivation of their own plots, since their work would be less necessary on their lord's land. The difference between the privileged and unprivileged estates affected the position of the *paroikoi* even more strongly. If, by reason of an imperial privilege, an estate enjoyed exemption from taxes and from public services, this was a great advantage, not only for the owners, but also for the *paroikoi*. No doubt, the claims of the state were transferred to the owner, but part of the burden fell away, above all the particularly onerous duty of entertaining officials and quartering soldiers. To this extent the position of the *paroikoi* whose lords possessed immunities was doubtless more favourable than that of the free peasants—a circumstance that explains much in Byzantine development. The *paroikoi* who had to meet the full force of the demands of both private landowners and the state were in a very different position. It is clear that they were tempted to migrate to the privileged estates; and in any case they were so terribly overburdened that their powers of production were affected, which inevitably reacted on the economic prosperity of their lords.

This explains why the small estates everywhere fell into ruins, and also why the unprivileged big estates grew increasingly poorer, while only the very large estates which were endowed with rights of immunity flourished. These separated themselves from the enfeebled state,

entered into competition with it as autonomous powers, and cut into its economic and political foundations. The course taken by Byzantine agrarian history provides at every stage the key to the understanding of the whole historical evolution of Byzantium. Just as the power and the internal stability of the Byzantine Empire in its best days were based on sound agrarian conditions, so its downfall was in great measure determined by the less happy course of its subsequent agrarian history.

Bibliographies

EDITOR'S NOTE (First Edition)

At an early stage the editors abandoned the notion of compiling a general bibliography. If made complete, this would be little less than a bibliography of medieval history, which would be superfluous. Further, contributors had drawn up their bibliographies on divergent lines; had often inserted valuable notes explaining the methods adopted; and sometimes had thrown the bibliography almost into narrative form. It was therefore decided to leave each bibliography as it stood, with merely editorial correction. The great difficulties of communication since August 1939, which have robbed us of one bibliography entirely, confirmed us in this policy. One result of it is that certain books recur in several lists. We have left them in all, because they both register the contributor's debt and, in a rough way, the greatness, or at least the utility, of the recurring books.

EDITOR'S NOTE (Second Edition)

All the bibliographies in the second edition have been revised and brought up to date, some by the authors of the new and revised chapters, others by historians specially commissioned to do so. Needless to say the principles on which the new or revised bibliographies have been compiled remain the same as in the first edition, with the result that the new bibliographies differ from each other as much as the old ones in the principle of selection and in the manner of presentation. The arguments in favour of this policy have been set out in Professor Clapham's note to the bibliographies in the first edition.

Abbreviations

The following abbreviations are used for the journals most often quoted:

- AHES. *Annales d'histoire économique et sociale.*
- AHR. *American Historical Review.*
- ASI. *Archivio Storico Italiano.*
- AVS. *Archivio Vittorio Scialoja.*
- EHR. *English Historical Review*
- EcHR. *Economic History Review*
- EJ. *Economic Journal*; *Ej.* (Ec. Hist.), Historical supplement to *Ej.*
- EC. *Economia e Storia.*
- ESAR. *An Economic Survey of Ancient Rome* (ed. Terrey Frank)
- HJ. *Historisches Jahrbuch.*
- HZ. *Historische Zeitschrift.*
- JRS. *Journal of Roman Studies.*
- MIA. *Materialy i issledovaniya po arkeologii SSSR.*
- (N)AV. *(Nuovo) Archivio Veneto.*
- RB. *Revue Belge de Philologie et d'Histoire.*
- RH. *Revue historique*
- TRHS. *Transactions of the Royal Historical Society.*
- VSWG. *Vierteljahrschrift für Sozial- und Wirtschaftsgeschichte.*
- ZAA. *Zeitschrift für Agrargeschichte und Agrarsoziologie.*
- ZSS. *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte.*

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CHAPTER V

Agrarian Conditions in the Byzantine Empire in the Middle Ages

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